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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/030,561      | 04/25/2002  | Andrew Searle        | 1570.3026.001       | 8768             |

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Reising Ethington Barnes  
Kisselle Learman & McCulloch  
PO Box 4390  
Troy, MI 48099-9998

EXAMINER

WALSH, JOHN B

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 05/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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|                              |                 |                |
|------------------------------|-----------------|----------------|
| <b>Office Action Summary</b> | Application No. | Applicant(s)   |
|                              | 10/030,561      | SEARLE, ANDREW |
|                              | Examiner        | Art Unit       |
|                              | John B. Walsh   | 3676           |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-19 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4, 18 and 19 is/are rejected.
- 7) Claim(s) 5-17 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

|  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6</u> . | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 5-17 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 recites the limitation "the fluid delivery path". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 93/02435.

As concerns claim 18, a replaceable cash store (11) for an automatic teller machine, comprising a portable container defining a plurality of cash storage regions (17,18,19) therein, a spoiling arrangement for delivering a spoiling agent (29) to the cash storage regions, at least one sensor (30) for detecting an attack on the cash store and a controller (37) for initiating operation of the spoiling arrangement, characterised by said cash store being dockable with an automatic teller machine such that cash can be delivered to the Automatic teller machine without opening the cash store (page 16, lines 11-28).

As concerns claim 19, a mobile security cabinet for engagement with an automatic dispensing machine, comprising a plurality of reception regions for receiving and engaging with security boxes (17,18,19), each security box including delivery means (29) for delivering a spoiling agent from at least one reservoir (31) within the security cabinet so as to spoil the contents of the security box, the security cabinet further comprising at least one sensor (30) for detecting an attempt to open the cabinet and a controller (37) responsive to the at least one sensor for initiating spoiling of the contents of the boxes via the delivery means, each security box having a connector (28) for engaging with a co-operating connector (40) of the security cabinet when the security box is in a reception region, the co-operating connectors including means for displacing foreign matter out of a fluid delivery path (page 19, lines 9-13; acts as a seal keeping foreign matter out) between the connectors as the connectors move into engagement, the mobile security cabinet being engagable with an automatic dispensing machine without exposing said security boxes.

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3676

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 93/02435.

A mobile security cabinet (11) for engagement with an automatic dispensing machine, characterised by a plurality of reception region's <sup>regions holding containers</sup> for receiving and engaging with containers (17,18,19) for said dispensing machine, each container including delivery means (29) for delivering a spoiling agent to spoil the contents of the container, the security cabinet further comprising at least one sensor (30) for detecting an attempt to open the cabinet or an attempt to remove a container, and a controller (37) responsive to the at least one sensor for initiating spoiling of the contents of the containers via the delivery means,

WO' 435 does not explicitly teach the cabinet further including a pick unit for the dispensing machine such that the mobile security cabinet can be engaged with a dispensing machine without exposing said containers.

However, as disclosed by the applicant (p. 8, line 26), the pick unit is a known component, and it would have been obvious to provide WO'435 with a pick unit to provide easier access when servicing the cabinet.

As concerns claim 2, the spoiling agent is held in at least one reservoir (31) within the security cabinet.

As concerns claim 3, the spoiling agent is held in at least one reservoir (31) within the containers (page 18, lines 1-12). Furthermore, it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ70.

As concerns claim 4, a locking arrangement (25) is provided to hold each container within its reception region.

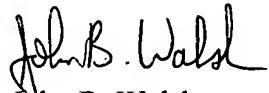
*Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 703-305-0444. The examiner can normally be reached on Monday-Friday from 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9325.

  
John B. Walsh  
Patent Examiner  
Technology Center 3670

April 28, 2003